S/N Unknown PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

ERICKSON et al.

Examiner:

Unknown

Serial No.:

Unknown

Group Art Unit:

Unknown

Filed:

December 28, 2004

Docket No.:

00270.0079USWO

Title:

HARVEST-INDUCIBLE GENES FROM ALFALFA (MEDICAGO

SATIVA) AND METHODS OF USE THEREOF (AS AMENDED)

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495870116 US

Date of Deposit: December 28, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450.

By: //
Name: David Ortiz

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed April 16, 2004.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the International Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

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establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

23552
PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 332-5300

Dated: December 28, 2004

Gregory A. Sebale Reg. No. 33,280

GAS/sbd

Date Mailed:	December	28,	2004	
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FORM 1449*

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INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Sheet 1 of 1 2 Rec'd PCT/PTO 2 8 DEC 2004

Docket Number: 00270.0079USWO Application Number: Unknown

Applicant: ERICKSON et al.

Filing Date: December 28,

Group Art Unit: Unknown

U.S. PATENT DOCUMENTS								
EXAMINER INITIAL	. DOCUM	ENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING IF APPRO	
			<u></u>					
			FOR	EIGN PATENT DOCUMI	ENTS			
	DOCUMENT NO.		DATE	E COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	01/73090		10/2001	WIPO				
				٠		,		
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
Ferullo et al., "Post-Harvest Alteration of In Vitro Translatable mRNA Population in Alfalfa (Medicago sativa L.)", Crop Science (1996); 36: 1011-1016								
	Matz et al. "Different strategies of differential display: areas of application", Nucleic Acids Research (1998); 26: 5537-5543							
	Kuhn, "From Library Screening to Microarray Technology: Strategies to Determine Gene Expression Profiles and to Identify Differentially Regulated Genes in Plants", Annals of Botany (2001); 87: 139-155							
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PATENT TRADEMARK OFFICE

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DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.